



United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Charles R. Norgle	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	07 C 6641	DATE	8/13/2008
CASE TITLE	Bolden vs. United States		

DOCKET ENTRY TEXT

Emanuel Bolden's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255 is denied.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

On January 22, 2004, a jury convicted movant Emanuel Bolden of being a felon in possession of a firearm. Bolden's criminal history qualified him as an armed career criminal under 18 U.S.C. § 924(e). His sentencing range was therefore 253-293 months pursuant to United States Sentencing Guideline § 4B1.4. The court sentenced Bolden to 293 months imprisonment. Bolden appealed his conviction to the Seventh Circuit, which dismissed the appeal as frivolous. United States v. Bolden, 206 Fed. Appx. 541 (7th Cir. Aug. 17, 2006). Bolden then timely filed the instant motion pursuant to 28 U.S.C. § 2255.

After a careful reading of Bolden's forty-two page rambling, pro se § 2255 motion, the court determines that the core of Bolden's claim is that he was erroneously sentenced as a career offender. It is clear from the record, however, that Bolden was not sentenced as a career offender pursuant to § 4B1.1 of the Guidelines, but rather as an armed career criminal under 18 U.S.C. § 924(e) and Guideline § 4B1.4. There is no question that Bolden's sentence fell within the properly calculated Guidelines range. Bolden, 206 F. Appx. at 542. Bolden's claim is therefore meritless, and his § 2255 Motion is denied.

U.S. DISTRICT COURT
CLERK

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